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PTO/SB/21 (08-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application	09/980,058
Filing Date	November 28, 2001
First Named	FLORIAN KERN et al
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Total Number of Pages in This Submission	Attorney Docket Number
	100725-26 / Kreisler 1099-KGB

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Combination Declaration and Power of Attorney - Copy of Notification of Missing Requirements
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	KURT G. BRISCOE Norris McLaughlin & Marcus
Signature	
Date	March 28, 2002

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: **March 28, 2002**

Typed or printed name	Kurt G. Briscoe
Signature	
Date	March 28, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

\$130.00

## Complete if Known

Application Number 09/980,058  
 Filing Date November 28, 2001  
 First Named Inventor FLORIAN KERN et al  
 Examiner Name To Be Assigned  
 Group Art Unit To Be Assigned  
 Attorney Docket No. 100725-26 / Kreisler 1099-KGB

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 14-1263

Deposit Account Name Norris McLaughlin & Marcus

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	740	201 370 Utility filing fee	
		106	330	206 165 Design filing fee	
		107	510	207 255 Plant filing fee	
		108	740	208 370 Reissue filing fee	
		114	160	214 80 Provisional filing fee	
SUBTOTAL (1)					

### 2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims	Fee from below	Fee Paid
Total Claims -20** = 0 X		0.00
Independent Claims -3** = 0 X		0.00
Multiple Dependent		

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		103	18	203 9 Claims in excess of 20	
		102	84	202 42 Independent claims in excess of 3	
		104	280	204 140 Multiple dependent claim, if not paid	
		109	84	209 42 ** Reissue independent claims over original patent	
		110	18	210 9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					\$0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		105	130	205 65 Surcharge - late filing fee or oath	130.00
		127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
		139	130	139 130 Non - English specification	
		147	2,520	147 2,520 For filing a request for ex parte reexamination	
		112	920*	112 920* Requesting publication of SIR prior to Examiner action	
		113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
		115	110	215 55 Extension for reply within first month	
		116	400	216 200 Extension for reply within second month	
		117	920	217 460 Extension for reply within third month	
		118	1,440	218 720 Extension for reply within fourth month	
		128	1,960	228 980 Extension for reply within fifth month	
		119	320	219 160 Notice of Appeal	
		120	320	220 160 Filing a brief in support of an appeal	
		121	280	221 140 Request for oral hearing	
		138	1,510	138 1,510 Petition to institute a public use proceeding	
		140	110	240 55 Petition to revive - unavoidable	
		141	1,280	241 640 Petition to revive - unintentional	
		142	1,280	242 640 Utility issue fee (or reissue)	
		143	460	243 230 Design issue fee	
		144	620	244 310 Plant issue fee	
		122	130	122 130 Petitions to the Commissioner	
		123	50	123 50 Processing fee under 37 CFR § 1.17(q)	
		126	180	126 180 Submission of Information Disclosure Statement	
		581	40	581 40 Recording each patent assignment per property (times number of properties)	
		146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
		149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
		179	740	279 370 Request for Continued Examination (RCE)	
		169	900	169 900 Request for expedited examination of a design application	
Other fee (specify)					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$130.00

## SUBMITTED BY

Name (Print/Type)	KURT G. BRISCOE	Registration No. (Attorney/Agent)	33,141	Telephone	(212) 808-0700
Signature		Date	March 28, 2002		

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Kreisler 1099-KGB  
012823us/H/ml

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : FLORIAN KERN ET AL  
SERIAL NO. : 09/980,058  
FILED : November 28, 2001  
FOR : PEPTIDES FOR VACCINATION AGAINST  
HUMAN CMV  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

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March 28, 2002

Hon. Commissioner for Patents  
Washington, D.C. 20231

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

This is in response to the Notice to File Missing Parts of Application under 37 CFR  
1.53(b) **January 29, 2002**, in the above-identified application. A copy of said Notice is attached  
hereto.

It is requested that the papers submitted herewith be joined up with the papers previously  
filed in this Application.

Applicant is:

☐ a small entity

☐ verified statement attached

☒ other than a small entity

☐ verified statement filed

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on March 28, 2007

NORRIS McLAUGHLIN & MARCUS, P.A.

By 